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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/554,416	01/10/2006	Jurek Dabrowski	JRL-2380-1220	5306
23117 7590 08/21/2008 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
LEE, BENNY T				
ART UNIT		PAPER NUMBER		
2817				
MAIL DATE		DELIVERY MODE		
08/21/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/554,416

**Applicant(s)**

DABROWSKI ET AL.

**Examiner**

Benny Lee

**Art Unit**

2817

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 8-10 and 12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5; 6, 8-10, 12 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 May 2008 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S508)
- Paper No(s)/Mail Date 20 May 2008
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

This application is in condition for allowance except for the following formal matters:

**In the Specification:**

The disclosure is objected to because of the following informalities: In the replacement paragraph to page 1, line 11, last line therein, note that --therein-- should be inserted after "Fig. 7" for clarity of description. Page 7, line 12, it is noted that --OF THE PREFERRED EMBODIMENTS-- should be inserted after "DETAIL DESCRIPTION" for an appropriate characterization. In the replacement paragraph to page 8, line 16, first line therein, note that "first 4, second 5, third 6 and fourth 7 conductive layer" should be rephrased as --first conductive layer 4, second conductive layer 5, third conductive layer 6 and fourth conductive layer 7-- for clarity of description. Page 9, lines 10, 11, note that --first ground plane 10, second ground plane 11 and third ground plane 12-- is suggested for clarity of description. In the replacement paragraph to page 9, line 19, third line therein; note that --line-- should be inserted between "first" & "8" for an appropriate characterization; moreover, note that it remains unclear whether the recitation of this paragraph properly characterizes the orientation of the respective ground planes (i.e. as evident from Fig. 3, the tuning ground plane (11) appears to be parallel to the other ground planes (e.g. 10), rather than being perpendicular thereto). Clarification is needed. In the replacement paragraph to page 11, line 5, first line therein, should the recitation "of the invention" be deleted as to be commensurate with like changes made through out the specification?; 8<sup>th</sup> line therein, note that a --,- should be inserted after "5" for grammatical correctness. Applicants' are reminded that all reference labels appearing (i.e. preferably in the description of the drawing figure objected to) in the drawing figures need to be correspondingly described in the specification. Appropriate correction is required.

**In the Drawings:**

The drawings are objected to because in Fig. 3 (and not Fig. 9), note that for the “via” on the right hand side, the reference label “9” should correctly be --19--.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

**In the Claims:**

In claim 1, line 5; claims 2, line 2; claim 3, line 3; claim 8, lines 2, 5; claim 9, line 1; claim 10, line 2: note that --line-- has been inserted after “first” for an appropriate characterization.

In claim 12, line 1, note that “a wherein” should be correctly rewritten as --where in a-- for an appropriate characterization.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Claims 1-5; 6, 8-10, 12 are allowable over the prior art of record.

Any inquiry concerning this communication should be directed to Benny Lee at telephone number 571 272 1764.

**/BENNY LEE/  
PRIMARY EXAMINER  
ART UNIT 2817**

B. Lee